

**RECEIVED
CENTRAL FAX CENTER**

NOV 10 2005

**TOLER
LARSON
& ABEL_{LLP}****FACSIMILE COVER SHEET****DATE:** 11/10/2005**TO:** Examiner NGUYEN, Steven **FAX NO.:** 571-273-8300
H. D.
USPTO GPAU 2665**FROM:** Ryan S. Davidson
Reg. No.: 51,596**RE U.S. App. No.:** 09/990,896, filed 11/16/2001**Applicant(s):** James Robert KELTON et al.**Atty Dkt No.:** VIXS.0100280 (1459-VIXS028)**Title:** SYSTEM FOR PROVIDING DATA TO MULTIPLE DEVICES AND
METHOD THEREOF**NO. OF PAGES (including Cover Sheet):** 4**MESSAGE:**

Attached please find:

- ☒ Transmittal Form (1 pg)
☒ Response to Office Action (2 pgs)

5000 Plaza On The Lake
Suite 265
AUSTIN, TEXAS 78746Tel: (512) 327-5515
Fax: (512) 327-5452**CONFIDENTIALITY NOTE**

The pages accompanying this facsimile transmission contain information from the law office of Toler, Larson & Abel, L.L.P. and are confidential and privileged. The information is intended to be used by the individual(s) or entity(ies) named on this cover sheet only. If you are not the intended recipient be aware that reading disclosing copying distribution or use of the contents of this transmission is prohibited. Please notify us immediately if you have received this transmission in error as the number listed above and return the document to us via regular mail.

NOV. 10 2005

PTO/SB/21 (09-04)


Approved for use through 07/31/2008. OMB 0851-0031

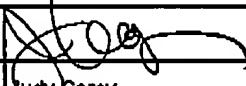
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|---|----------------------|----------------------------|-----------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/990,896 | |
| | Filing Date | 11/16/2001 | |
| | First Named Inventor | James Robert KELTON et al. | |
| | Art Unit | 2665 | |
| | Examiner Name | NGUYEN, Steven H. D. | |
| Total Number of Pages in This Submission | 3 | Attorney Docket Number | VIXS.0100280 (1459-VIXS028) |

| ENCLOSURES (Check all that apply) | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TO <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks CUSTOMER NO.: 29331 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|---|----------|--------|
| Firm Name | TOLER, LARSON & ABEL, LLP | | |
| Signature |  | | |
| Printed name | Ryan S. Davidson | | |
| Date | 10 November 2005 | Reg. No. | 51,596 |

| CERTIFICATE OF TRANSMISSION/MAILING | | |
|---|---|----------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: | | |
| Signature |  | |
| Typed or printed name | Judy Carey | Date |
| | | 11/16/05 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT

**RECEIVED
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE CENTRAL FAX CENTER**

NOV. 10 2005

Applicants: James Robert KELTON et al.

Title: SYSTEM FOR PROVIDING DATA TO MULTIPLE DEVICES AND
METHOD THEREOF

App. No.: 09/990,896 Filed: 11/16/2001

Examiner: NGUYEN, Steven H. D. Group Art Unit: 2665

Atty. Dkt. No.: VIXS.0100280
(1459-VIXS028)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

The USPTO has restricted claims 1-54 of this application into Group I (claims 1-15 and 29-36), Group II (claims 16-28 and 50-54), Group III (claims 37-45) and Group IV (claims 46-49).

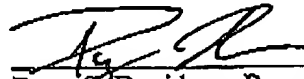
Applicants elect the claims of Group II (claims 16-28 and 50-54) and provisionally withdraw the non-elected claims of Group I, III and IV. The restriction is respectfully traversed in order to preserve the issue for subsequent petition since the examination of all of the claims is not believed to create an undue burden on the USPTO and that the subject matter among the groups is not independent and distinct as required by statute. Furthermore, different classifications as recited by the USPTO are not independent adequate grounds for restriction since the USPTO has historically examined applications containing multiple sets of claims.

| | |
|---|---------------------------------|
| CERTIFICATE OF TRANSMISSION/MAILING | |
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents on <u>11/10/05</u> . | |
| <u>Judy Carey</u> Typed or Printed Name | <u>[Signature]</u> Signature |

In summary, Applicants elect the claims of Group II for further prosecution and provisionally withdraw the non-elected claims from consideration. Reconsideration and further prosecution on the merits of at least the claims of Group I are respectfully requested.

Respectfully submitted,

10 November 2005
Date


Ryan S. Davidson, Reg. No. 51,596
TOLER, LARSON & ABEL, L.L.P.
5000 Plaza On The Lake, Suite 265
Austin, Texas 78746
(512) 327-5515 (phone)
(512) 327-5452 (fax)